REMARKS

Claims 1-21 are pending in this application after this amendment. Claims 1 and 17 are independent. In light of the amendments and remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-16 under 35 U.S.C. §112, first paragraph; rejected claims 17-21 under 35 U.S.C. §112, second paragraph; rejected claims 1-4, 6-13 and 15-21 under 35 U.S.C. §102(b) as being anticipated by *Gu* (USP 5,874,988); rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Gu* in view of *Cookingham* (USP 6,658,139); and rejected claim14 under 35 U.S.C. §103(a) as being unpatentable over *Gu* in view of *Inoue* (USP 5,844,542). Applicant respectfully traverses these rejections.

Claim Rejections – 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 1-16 under 35 U.S.C. §112, first paragraph asserting, "comparing" the finished-state-predicting image with the at least one selected reference image is not described in the specification so as to enable one to make and use the invention. In response to this rejection, Applicant has amended claim 1 to clarify the invention as recited. Further, the Examiner's attention is respectfully directed to page 14, line 20 through page 15, line 6, which clearly provides sufficient information so that one skilled in the art may make and use the invention.

Based on the amendment and the disclosure provided in Applicant's specification, Applicant respectfully requests that the outstanding rejection be withdrawn.

Claim Rejections – 35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 17-21 asserting "the image" in lines 9 and 10 of claim 17 has insufficient antecedent basis. By this amendment, Applicant has amended claim 17 to clarify the present invention. Based upon this amendment, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection.

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Claim Rejections – 35 U.S.C. §102

The Examiner rejected claim 1 asserting *Gu* teaches or suggests all of the claim elements. Specifically the Examiner asserts that *Gu* discloses an image processing unit for subjecting an image supplied from an image data supply source to image processing based on image processing conditions, thereby obtaining a finished-state-predicting image (see Fig. 1, column 3 line 54 - col. 4, line 3, column 12, lines 24-35, and column 20, lines 24-38); and a first adjustment unit for adjusting the image processing conditions in the image processing unit by comparing the finished-state-predicting image with the at least one selected reference image displayed on the display in such a manner that an image processing result of the finished-state-predicting image using adjusted processing conditions matches to the at least one selected reference image (see column 3, line 62 - col. 4, line 33, column 15, lines 56-61, column 17, line 62 - column 18, line 51, and column 20, line 22 – column 21, line 17). Applicant respectfully disagrees with the Examiner's assertions.

The disclosure of *Gu* is directed to a system and method for automated color correction. The system of *Gu* stores reference image information for a plurality of selectable reference images. A target image from an image source is displayed on a display. A capture device captures a source image from the image source. An image analyzer software process computes statistical parameters of the source image and compares the statistical parameters to pre-stored statistical parameters of a selected pre-stored reference image. A control unit provides correction value outputs to the image source or to the image processing system to control the color image parameters of the source image in an iterative manner until there is a match between the pre-stored statistical parameters of the reference image and the determined statistical parameters of the target image (Abstract).

In contrast, claim 1 clearly recites, *inter alia*, an image processing unit for subjecting an image supplied from an image data supply source to image processing based on image processing conditions, **thereby obtaining a finished-state-predicting image**; and a first adjustment unit for adjusting the image processing conditions in the image processing unit by comparing the **finished-state-predicting image** with the at least one selected reference image

displayed on the display in such a manner that an image processing result of the finished-state-predicting image using adjusted processing conditions matches to the at least one selected reference image.

According to the teachings of *Gu*, the source image captured by the image capture device is compared with the selected reference image. *Gu* teaches at col. 4, lines 1-5 that statistical parameters of the source image are computed. However, *Gu* discloses that the unprocessed source image is compared with the selected reference image. In claim 1, the finished-state-predicting image (the image processed based on the image processing conditions) is compared with the selected reference image. Applicant respectfully submits that *Gu* fails to teach or suggest the finished-state-predicting image (the image processed based on the image processing conditions), displayed on the display, being compared with the selected reference image.

At least for this reasons, Applicant submits that *Gu* fails to anticipate the invention of claim 1. As such, it is respectfully requested that the outstanding rejection be withdrawn. Applicant respectfully submits that claims 2-16 18-19 and 21 are allowable for the reasons set forth above with regard to claim 1 based on their dependency on claim 1. It is further respectfully submitted that claim 17 includes elements similar to those discussed above with regard to claim 1, claim 17, together with claims dependent thereon, are not anticipated by *Gu*.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By

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